

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WESTCHESTER FIRE INSURANCE
COMPANY, as subrogee of JURYS DOYLE
HOTEL GROUP USA, LTD. d/b/a
JURYS DOYLE HOTEL, LLC

Plaintiff,

v.

DJ PLUMBING & HEATING, INC.,

Defendant.

No. 05-cv-11375-MLW

DEFENDANT'S LOCAL RULE 16.1(D)(3) CERTIFICATION

We, the undersigned, hereby certify that we have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as mini-trials, summary jury trials and mediation as outlined in Local Rule 16.4.

Respectfully submitted,

DJ PLUMBING & HEATING, INC.


Insurer Representative

Vincent Affinito
One Beacon Insurance Company
1500 Spring Garden Street
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Philadelphia, PA 19130

Dated: March 20, 2006


Counsel

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on March 20, 2006.

A handwritten signature in black ink, appearing to read "K M Mullen", is written over a horizontal line.

Kurt M. Mullen